

Washington - In testimony today before the House Judiciary Subcommittee on Commercial and Administrative Law, several experts on government regulation questioned the motives behind - and warned of the potential negative effects of - a recent Bush Administration decision that could weaken government protections against abusive corporate behavior.

Subcommittee Chairwoman Linda Sánchez called the hearing to look at President George W. Bush's Executive Order 13422, which changes a measure issued by President Bill Clinton in 1993 to balance economic growth and the need for regulatory protections, including workplace safety and pollution prevention. The Clinton measure, Executive Order 12866, allowed federal regulations to be developed by those specialists at federal agencies with substantive knowledge and experience.

"The Bush Administration has a record of twisting facts and disregarding policy experts to make a case for its predetermined decisions," said Chairwoman Sánchez. "We need to make sure that the President's new directive does not create a class of ideological enforcers who will weaken rules we need to keep families and the environment safe."

The Bush executive order could require that chief regulatory officer positions be filled by unconfirmed, unaccountable political appointees with the authority to alter federal rules. The new change would make it difficult to use generally accepted scientific data, as well as allow corporations to oversee their own behavior on issues like water and air pollution.

Witnesses today included Peter Strauss, an administrative law professor at Columbia Law School, who warned that Bush executive order would reinstate a "discredited, remarkably expensive rulemaking procedure that delivers substantial controls over the timing and cost of rulemaking into the hands of private parties - notably I fear those whose dangerous activities" would be subject to the proposed regulations.

"There is no apparent need for [the Bush executive order]," said Sally Katzen, a proponent of centralized presidential review of rulemaking who helped develop regulatory policy for Presidents Ronald Reagan, George H.W. Bush, and Bill Clinton. Katzen described the new order as an "explicit politicalization of the process."